

Application No. 09/693,558

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REMARKS

Claims 32 - 36 and 55 are in this application; no claims having been cancelled in this response; and Claims 37 - 54 and 56 having been withdrawn.

In the Office Action (3rd restriction requirement) mailed May 25, 2005, the Examiner acknowledged, and Applicants hereby affirm again, that Applicants have previously elected (see Response of February 6, 2003) nicotinamide (see Claim 33, formula V) as a compound having vitamin PP activity. Applicants also elect nicotinic acid (see Claim 33, for example) as a compound of formula III, also as a compound having vitamin PP activity.

In a subsequent Office Action dated July 6, 2004, the Examiner rejected Claims 32-36, 38-40 and 53-56 under 35 U.S.C. 112, first paragraph; rejected Claims 32-36 under 35 U.S.C. 102(a) as being anticipated by Budihardjo, and maintained the rejection of Claims 32-36 under 35 U.S.C. 102(b) as being anticipated by Artemov. In a further response filed on January 5, 2005 (but entered on March 3, 2005, per electronic PAIR), Applicants argued and addressed all of the above rejections. However, in the present Office Action, the Examiner did not acknowledge nor address the disposition of the above rejected claims. Applicants respectfully request that the Examiner either repeat the rejections or answer the substance of the response filed in the response dated January 5, 2005.

In the present Office Action, the Examiner further required a restriction requirement of Claims 32-56, and further restricted the claims set into five groups:

- Group I. Claims 32-37 and 55 drawn to various methods;
- Group II. Claims 32-36 and 55 drawn to various methods;
- Group III. Claims 32-36 and 55 drawn to various methods;
- Group VI. Claims 32, 38-40, 48, 50, 51, 53 and 54, drawn to various methods; and
- Groups V. Claims 41-47, 49, 52 and 56, drawn to pharmaceutical compositions.

Applicants note that in the Response filed on January 5, 2005, Claims 37, 41-49, 51 and 52 have already been withdrawn, and therefore are presently not under consideration for examination.

However, in the interest of expediting prosecution in this case, Applicants assume that the Examiner has withdrawn the prior restriction requirements and therefore, Claims 32 - 55 are pending in the present application. Applicants elect for examination:

- (1) the invention of Group II, Claims 32 - 36 and 55, drawn to method for reducing side effect or neutralizing side effects of a cancerostatic or immunosuppressive agent; and
- (2) a compound that is nicotinic acid as a compound of Formula III, and a compound that is nicotinamide of formula V as two species for examination.

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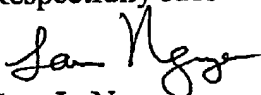
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Applicant note with appreciation that in a telephonic interview with the Examiner on July 25, 2005, the Examiner consented to the election of two species for examination.

Method Claim 32 having been amended to recite the method for reducing side effects or neutralizing the side effects of a cancerostatic or immunosuppressive agent administered prophylactically or therapeutically to a patient. Support for the amendment may be found in the specification and claims as filed. No new matter was added in the present amendment.

Allowance of the claims is respectfully requested.

Respectfully submitted,



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